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October 8, 2004

CERTIFICATE OF MAILING 37 C.F.R 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
<u>October 8, 2004</u> Date	 Gina N. Shishima

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Serial Number 10/057,582 entitled "BACTERIA WITH REDUCED GENOME"
by Frederick R. Blattner et al.
Our ref: WARF:17US


Commissioner:

Enclosed for filing in the above-referenced patent application is:

1. Response to Notice of Non-Compliance Dated September 8, 2004;
2. A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

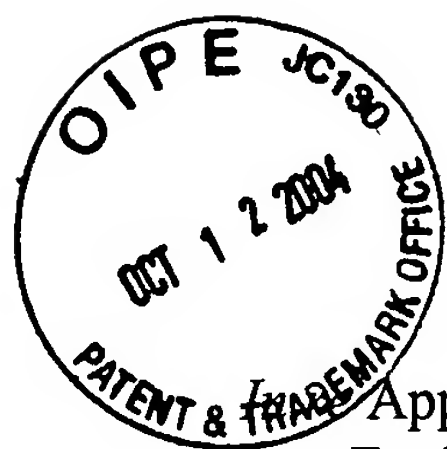
Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/WARF:017US/SLH.

Very truly yours,


REG. NO. 45,104
For Steven L. Highlander
Reg. No. 37,642

SLH/cpj
Encl: As noted

25462030.1 / 10409265



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:
Frederick R. Blattner et al.

Serial No.: 10/057,582

Filed: January 23, 2002

For: BACTERIA WITH REDUCED GENOME

Group Art Unit: 16136

Examiner: Nancy S. Vogel

Atty. Dkt. No.: WARF:017US/SLH

**CERTIFICATE OF MAILING
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October 8, 2004
Date


Gina N. Shishima

RESPONSE TO NOTICE OF NON-COMPLIANCE DATED SEPTEMBER 8, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-01450

Sir:

This paper is submitted in response to the Notice of Non-Compliance mailed on August 8, 2004, for which the date for response is October 8, 2004.

No fees are believed due; however, should any fees be deemed necessary, consider this paragraph such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 from Fulbright & Jaworski L.L.P. Account No.: 50-1212/WARF:017US/SLH.

Remarks begin on page 2.